

CRIMINAL COMPLAINT

STATE OF WISCONSIN

DA Case No.: 2015ML004774

Plaintiff,

vs.

Complaining Witness:

Officer Richard Schnier

Hobbs, Michael E
1606 South 33rd Street
Milwaukee, WI 53215
DOB: 07/29/1996

Court Case No.:

Defendant,

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: SECOND DEGREE RECKLESS HOMICIDE

The above-named defendant on or about February 22, 2015, at 8400 W. Wilbur Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly cause the death of Bernard Hanson, another human being, contrary to sec. 940.06(1), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

Count 2: HIT AND RUN - RESULTING IN DEATH

The above-named defendant on or about February 22, 2015, at 8400 W. Wilbur Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, being the operator of a vehicle involved in an accident resulting in death to Bernard Hanson, did fail to immediately stop his own vehicle at the scene of said accident, or as close thereto as possible, and failed to remain at the scene of said accident until he fulfilled the following requirements, to-wit: provide name, address and the registration number of the vehicle he is driving to the person struck or to the operator or occupant of or person attending any vehicle collided with; upon request and if available, exhibit his operator's license to the person struck or to the operator or occupant of or person attending any vehicle collided with; or render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person, contrary to sec. 346.67(1) and 346.74(5)(d), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(j), the Department shall revoke the defendant's operating privilege for five (5) years.

Count 3: SECOND DEGREE RECKLESS HOMICIDE

The above-named defendant on or about February 22, 2015, at 8400 W. Wilbur Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did recklessly cause the death of Mary Hanson, another human being, contrary to sec. 940.06(1), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

Count 4: HIT AND RUN - RESULTING IN DEATH

The above-named defendant on or about February 22, 2015, at 8400 W. Wilbur Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, being the operator of a vehicle involved in an accident resulting in death to Mary Hanson, did fail to immediately stop his own vehicle at the scene of said accident, or as close thereto as possible, and failed to remain at the scene of said accident until he fulfilled the following requirements, to-wit: provide name, address and the registration number of the vehicle he is driving to the person struck or to the operator or occupant of or person attending any vehicle collided with; upon request and if available, exhibit his operator's license to the person struck or to the operator or occupant of or person attending any vehicle collided with; or render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person, contrary to sec. 346.67(1) and 346.74(5)(d), 939.50(3)(d) Wis. Stats.

Upon conviction for this offense, a Class D Felony, the defendant may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(j), the Department shall revoke the defendant's operating privilege for five (5) years.

Count 5: OPERATING A MOTOR VEHICLE WITHOUT OWNER'S CONSENT

The above-named defendant on or about February 22, 2015, at 8400 W. Wilbur Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally drive or operate a vehicle, a Chevrolet Tahoe, without the consent of the owner, Brian Alan Forecki, contrary to sec. 943.23(3), 939.50(3)(i) Wis. Stats.

Upon conviction for this offense, a Class I Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

PROBABLE CAUSE

I am a City of Milwaukee law enforcement officer and base this complaint upon personal knowledge, review of reports of the City of Milwaukee Police Department, and reports from the Milwaukee County Medical Examiner's Office, which I have reviewed in the past and found to be truthful and reliable. Those reports reflect that on February 22, 2015, Complainant responded to a motor vehicle crash with multiple fatalities at the intersection of South 84th Street and W. Wilbur Avenue in the city and county of Milwaukee. Upon arrival, Complainant noted that South 84th Street has a posted speed limit of 30 miles per hour and at that there is no traffic control for northbound or southbound traffic at the intersection with W. Wilbur Avenue. W.

Wilbur Avenue has a posted speed limit of 25 miles per hour and there are stop signs controlling its intersection with South 84th Street.

On the southeast corner of the intersection, Complainant observed a silver Chevrolet Tahoe resting up against a maroon Buick Century. The Tahoe had severe damage to the front end, both front airbags deployed, damage to the windshield, and blood throughout the interior of the vehicle. A review of police reports indicated that Brian Forecki, the owner of the Tahoe, had reported it had been stolen on February 19, 2015 from the area of South 34th Street and W. National Avenue in the city and county of Milwaukee.

The Buick Century also had severe damage, most notably to the passenger side of the vehicle. A significant amount of blood was present throughout the interior of the Century. One of the occupants of the Century, Mary Hanson, was lying in the vehicle. The second occupant of the Century, Bernard Hanson, was lying on the roadway just outside the driver's side of the vehicle. Both were pronounced deceased on scene.

A third vehicle, an orange Toyota Scion, was located on the northeast corner of the intersection. The Scion has significant damage to the vehicle. The occupants of the Scion, Judy Whitaker and C.P. (DOB: 6/26/00), were transported from the scene for medical attention.

Officer Shawn Pecoraro spoke with Judy Whitaker, the driver of the Scion involved in the crash, who indicated that she was traveling northbound on South 84th Street when she heard a loud bang. She stated that the side airbags deployed and she immediately began checking on her grandson's condition. Ms. Whitaker complained of pain to her left knee, back, head, mouth, and arm.

The bodies of Bernard and Mary Hanson were transported to the Milwaukee County Medical Examiner's Office for a post-mortem autopsy. Dr. Jacob Smith, a licensed medical doctor and a forensic pathology fellow, performed the autopsies. Dr. Smith found, to a reasonable degree of medical certainty, that Bernard Hanson died as a result of blunt and sharp force injuries to the head and neck, blunt force injuries to the chest and abdomen, and blunt force injuries to the extremities. Dr. Smith found that Mr. Hanson's death was the result of the automobile accident. Dr. Smith found, to a reasonable degree of medical certainty, that Mary Hanson died as a result of blunt and sharp force injuries to her head and neck, blunt force injuries to her chest and abdomen, and blunt force injuries to her extremities. Dr. Smith found that Mrs. Hanson's death was the result of the automobile accident.

As part of the investigation, Officer Jeanette Parmentier spoke with citizen witness Michael Maley. Mr. Maley indicated that he was driving his vehicle northbound on South 84th Street when he heard a loud bang. As he approached West Wilbur Avenue, he observed that three vehicles had been involved in an automobile accident. Mr. Maley exited his vehicle and approached the SUV that was involved in the accident. As he did, he observed six individuals exit the SUV and flee on foot.

Officer Andrew Holzem spoke with citizen witness Katie Hansen. Ms. Hansen indicated that she was inside her home when she heard a loud crash. She looked outside and observed a three-vehicle automobile accident. She exited her residence and observed four individuals exiting

from the driver's side rear door of the Tahoe. She heard one of the individuals say, "Let's go, we gotta leave."

Detective Ronald Taylor spoke with citizen witness Malisha Armour. Ms. Armour stated that while traveling southbound on South 84th Street she observed the accident. Ms. Armour was able to observe that the occupants of one of the vehicles, later determined to be the Scion, were conscious and talking. Ms. Armour then proceeded to the Tahoe. She observed that individuals were trying to free the driver of the Tahoe from the heavily damaged vehicle. Ms. Armour observed a white Infiniti arrive on scene and at least one of the occupants from the Tahoe enter the Infiniti and flee the scene. Ms. Armour was able to provide the license plate number of the white Infiniti to police.

Officer John Balcerzak spoke with citizen witness Michael Grabowski. Mr. Grabowski indicated that he was driving northbound on South 84th Street behind the Scion. He stated that as he approached the intersection of South 84th Street and W. Wilbur Avenue he observed the Scion get hit by the Tahoe. He stated that the Tahoe had been eastbound on W. Wilbur Avenue and was traveling at a high rate of speed. He stated the Tahoe disregarded the stop sign. After the crash, he called 911. After exiting his vehicle, he observed that another vehicle was involved in the crash. He approached the Tahoe and the other vehicle, later identified as the Century, and observed several individuals exiting the Tahoe. He observed that the occupants of the Century were unresponsive.

Detective Jason Enk reviewed surveillance video recovered from a nearby residence. Viewing the video, Detective Enk was able to observe the crash. He observed that the Tahoe was traveling at a high rate of speed eastbound on W. Wilbur Avenue before disregarding the stop sign at South 84th Street. He then observed the Tahoe to strike the Buick Century. Both the Tahoe and Century then make contact with the Scion. Two males can be seen exiting from the rear passenger door of the Tahoe. Seconds later, a white four door vehicle stops next to the Tahoe and Century and the two males who had exited the rear passenger door of the Tahoe entered the white vehicle. One of the two males subsequently exits the white vehicle and assists others in helping the driver of the Tahoe exit the vehicle. Thereafter, the occupants of the Tahoe walk away from the accident scene.

Based upon the information provided about the Infiniti, officers were able to locate the Infiniti as well as the driver of that vehicle, Nelson Lopez. Mr. Lopez indicated that he and a friend were driving around in the Infiniti and met up with a group of four to five males and two females. While hanging out, the others were talking about a stolen truck. Mr. Lopez stated that he did not want to be in the stolen vehicle so he continued to drive the Infiniti. He stated that the person who was driving the truck was Mikey, who he later identified as Michael Hobbs. He stated that they were in the area of 89th and Wilbur and Mikey was driving at a high rate of speed and running stop signs. He continued to follow at a slower rate of speed until he observed the truck Mikey was driving collide with another vehicle. He observed Mikey trapped in the vehicle. He stopped briefly and picked up one individual. After about another block he saw two other individuals who had been in the truck so he picked them up as well. He dropped them off somewhere on Morgan Avenue before proceeding back to his friend's house.

As part of the investigation, Complainant obtained a search warrant for the airbag control module from the Chevrolet Tahoe. The data obtained from the search warrant shows that the


Tahoe accelerated from 73 miles per hour five seconds before the crash to 78 miles per hour 1 second before the crash.


Detective Gilbert Carrasco conducted a *Mirandized* interview of Michael Hobbs. During that interview, Mr. Hobbs indicated that he had stolen the Tahoe from an alley on 33rd and National Avenue. He indicated that he had been driving around with several individuals. Before the crash, the group stopped at Walmart and smoked marijuana before proceeding to 89th and Wilbur to pick up a friend. While driving to 89th and Wilbur he noted that Wilbur looked like a speed spot and he started speeding for fun. When he approached 84th Street, one of the passengers noted that 84th Street was busy so he slowed down. After crossing 84th Street, he again sped toward the friend's house. After picking up the friend, Mr. Hobbs began driving eastbound on Wilbur. Several of the female passengers of the vehicle began encouraging Mr. Hobbs to drive fast so he accelerated to about 80 miles per hour. Again one of the passengers alerted Mr. Hobbs to the fact that he was approaching 84th Street but it was too late and he entered the intersection without braking. He stated that he remembers hitting a red car and then climbing out the window. He then ran off and at one point put one of the female passengers on his back as he ran from the scene. A man began chasing after him so he dropped the female and continued to run. He then hid in a garage until he saw a friend's little brother walking around. The friend's little brother took him home and assisted him in cleaning himself up. He changed clothes and caught a bus to where he was arrested. Mr. Hobbs indicated he fled the scene because he knew the Tahoe was stolen. He knew he would eventually get caught because he left his jacket and cellular phone in the Tahoe.

This complaint is further based upon review of Wisconsin Department of Transportation records which show that Mr. Hobbs has never been issued a driver's license. Even so, Mr. Hobbs' driver's status is currently suspended for failing to pay forfeitures. Notice of suspension was mailed to Mr. Hobbs' listed address in January 2013.

****End of Complaint****

Subscribed and sworn to before me and approved for filing this 26th day of February, 2015.


Antoni J. Adollo
Assistant District Attorney
1055087


Officer Richard Schnier
Complaining Witness